

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

JIMMIE D. THOMPSON,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	5:07-CV-143-BG
)	ECF
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

The United States District Court Judge transferred this case to the United States Magistrate Judge for further proceedings on July 23, 2007. On July 26, 2007, the undersigned denied Plaintiff's application to proceed *in forma pauperis* and ordered that Plaintiff tender the requisite filing fee to the clerk of court within 30 days of the date of the order. On the same date the undersigned also entered a "Notice of Availability of Magistrate Judge to Exercise Jurisdiction." As of this date, Plaintiff has not paid the filing fee and has not consented to the jurisdiction of this court.

I. Recommendation

Pursuant to the order transferring this case, the undersigned now files this Report and Recommendation. Because Plaintiff has failed to pay the filing fee, this court recommends that the United States District Court dismiss Plaintiff's complaint and enter judgment accordingly.

II. Right to Object

Pursuant to 28 U.S.C. § 636(b)(1), any party has the right to serve and file written objections to the Report and Recommendation within ten days after being served with a copy of this document. The filing of objections is necessary to obtain de novo review by the United States District Court. A party's failure to file written objections within ten days shall bar such a party, except upon grounds of plain error, from attacking on appeal the factual findings and legal conclusions accepted by the district court. *Douglass v. United Servs. Auto Ass'n*, 79 F.3d 1415, 1429 (5th Cir. 1996) (en banc).

Dated: December 10, 2007.


NANCY M. KOENIG
United States Magistrate Judge